

## REMARKS

By the foregoing Amendment, Claims 1, 3, and 18-20 are amended. Claims 21-24 are added. Support for the changes to Claims 1 and 18-20 may be found, for example, at page 1, line 21; the Brief Summary of the Invention; and the paragraph bridging pages 6 and 7; of the patent application as originally filed. The amendment to Claim 3 is formal. Thus, these changes are believed not to introduce new matter, and entry of the Amendment is respectfully requested.

Based on the above Amendment and the following Remarks, Applicant respectfully requests that the examiner reconsider all outstanding objections and rejections, and withdraw them.

### Art Rejections

The March 23, 2004 Office Action includes independent rejections based on the following three references:

- U.S. Patent No. 5,237,604 (Ryan )<sup>1</sup>
- U.S. Patent No. 5,940,492 (Galloway *et al.*)<sup>2</sup>
- U.S. Patent No. 6,639,981 (Dunn, Jr. *et al.*)<sup>3</sup>

Furthermore, dependent Claims 9 and 10 are rejected based on a combinations of some of these references with U.S. Patent No. 6,389,130 (Shenoda *et al.*).

Applicants have amended independent Claims 1, 18, 19 and 20 to clarify features that distinguish over the cited references, considered either individually or in combination. Claim 1, in this respect indicative of Claims 18-20, now recites:

1. (Currently Amended) A method for routing a call within a telecommunications network containing switches to direct the call dialed by an originating subscriber to a terminating subscriber, the method comprising:  
receiving the call at a first switch within the network, ***the first switch being of a first technology;***  
launching a query from the first switch to a centralized ***network routing database having information representing a topology of the switches;***  
in response to the query, the network routing database returning to the first switch an identity of at least one downstream switch to which the call is next to be routed ***along a downstream path that is also determined by the network routing database***

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<sup>1</sup> See esp. Fig. 1 and column 3.

<sup>2</sup> See esp. Fig. 6 and columns 9-10.

<sup>3</sup> See esp. Fig. 9 and columns 13-14.

**and that includes plural switches within the network, the downstream switch being of a second technology that is different from the first technology of the first switch; and**

**initiating a link from the first switch to the downstream switch identified by the network routing database to enable the first switch to route the call to the downstream switch for ultimate delivery to the terminating subscriber *via the downstream path determined by the network routing database.* (emphasis added)**

Several recited features, emphasized above are submitted to distinguish over the cited references.

Briefly, the primary references appear to focus on implementations of local number portability (LNP), a technology that bears only superficial similarity to what is intended to be claimed. Applicants are claiming a much more comprehensive technology involving a (centralized) *network routing database* (see Applicants' element 29 for a non-limiting example thereof). In fact, the network routing database can co-exist with LNP capability.

Ryan discloses switching from delivery to an analog switch 40, to delivery to a digital switch 50 (Ryan's FIG. 1). Analogously, Galloway *et al.* disclose a choice between use of carriers (with end offices EO2 and EO3) in an LNP arrangement. Similarly, Dunn, Jr. *et al.* disclose a choice between end offices (EOs) 112 and 113 in an LNP environment. What the three primary references have in common is their limited switching ability, appearing to always involve a choice between two "edge switches"—nodes that are at the edge of the network and connecting to subscribers that are external to the network.

In contrast to the three primary references, Applicants' approach, involving a network routing database, is recited to have information representing the topology of the switches based on which routing instructions are provided to a switch that has queried the database. Such a comprehensive network routing database is not required by, and therefore not suggested by, the cited references: LNP technology involves designation of one of only two edge switches to which a called subscriber is directly connected.

Furthermore, Applicants' independent claims emphasize that, downstream from any "first switch" that queries the network routing database, is a "downstream path that is also determined by the network routing database and that includes plural switches within the network." Indeed, most switches in the downstream path may themselves be considered to be the "first switch" that in turn queries the network routing table. Stated another way, the network routing database can specify, to a *series* of switches along a path, a corresponding *series* of

“next” switches along the path, through an arbitrarily complex network. This ability is not limited to merely specify a single edge switch directly connected to a called subscriber desiring local number portability. Thus, this ability to exhaustively specify a path of an indefinitely large number of switches is not disclosed in or suggested by the cited primary references.

Moreover, Applicants’ amended independent claims now emphasize that the various switches may be of different “technologies” so that the network may be heterogeneous. (For clarity, newly submitted dependent Claims 21-24 emphasize that such “technologies” may include circuit switching, ATM, IP technologies and the like.)<sup>4</sup> This ability to handle heterogeneous switches in a single network is in distinct contrast to conventional LNP arrangements, which are generally of uniform technology. Accordingly, the claimed arrangement is much more flexible than any network routing arrangement that merely focuses on LNP.

Thus, for at least the foregoing reasons, the three primary references do not disclose, teach or suggest the features recited in Applicants’ independent claims as amended hereby. Moreover, because the Shenoda *et al.* patent is cited for teachings related to specific signaling methods that are not related to the features discussed above, with reference to the independent claims, the Shenoda *et al.* patent does not overcome the shortcomings of the three primary references in the context of the present claims. The dependent claims should be allowable not only based on their own merits, but also by virtue of the features that are recited in the independent claims from which they depend. Therefore, reconsideration and withdrawal of the art rejections, and allowance of all claims, are respectfully requested.

#### Requirement for new Oath or Declaration

The March 23, 2004 Office Action includes an assertion that the declaration is defective because of non-initialed and/or non-dated alterations, requiring a new oath or declaration identifying this application by application number and filing date.

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<sup>4</sup> The claims recite that only *one* “first switch” be of a different technology from one “downstream switch”; the claims do *not* imply or require that *all* the switches along a downstream path must be of mutually different technologies.

Applicants comply with the request by filing herewith, a new declaration complying with PTO regulations and the examiner's requirement. Accordingly, reconsideration and withdrawal of the objection are respectfully requested.

New Formal Drawings

Applicants' new representative submits a new set of formal drawings with this Amendment, in the event that previously filed drawings were unacceptable for some reason. Applicants request that the examiner affirmatively indicate that the formal drawings are acceptable and have been entered into the PTO file wrapper.

Change of Correspondence Address; New Associate Attorney

A "Revocation of Associate Power and Appointment of New Associate Attorney and Change of Correspondence Address" is filed herewith. The Appointment recognizes the undersigned attorney to prosecute the case. It is requested that the examiner verify that the address information has been entered into the PTO mailing system so that future communications will be mailed to the correct address.

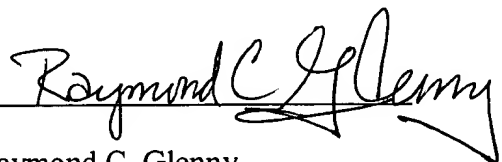
Conclusion

All objections and rejections have been overcome, complied with, or rendered moot. Thus, it now appears that the application is in condition for allowance. Should any questions arise, the examiner is invited to call the undersigned representative so that this case may receive an early Notice of Allowance. Favorable consideration and allowance are earnestly solicited.

Respectfully submitted,

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